IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE THIRD DAY OF FEBRUARY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE BILAL NAZKI

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WRIT PETITION NO : 11542 of 1994

Between:

Donga Arjuna Rao, S/o. Seshayya, Hindu,

30 years, Cultivation, R/o. Vemagiri,

Tota, East Godavari District. **..... PETITIONER**

AND

1.Yanamadala Suramma, W/o. Kondayya,

65 years, Hindu, Business, R/o.Vemagairithota,

Kadiam Mandal, East Godavari District,

2.Yanamadala Venkanna, S/o. Kondayya,

40 years, Hindu, Business, R/o.Vemagairithota,

Kadiam Mandal, East Godavari District,

3.Yanamadala Anjayya, S/o. Kondayya,

38 years, Hindu, Business, R/o.Vemagairithota,

Kadiam Mandal, East Godavari District,

4.Yanamadala Ramarao, S/o.Kondayya,

36 years, Hindu, Business, R/o.Vemagairithota,

Kadiam Mandal, East Godavari District,

5.Yanamadala Suryanarayana,S/o. Venkanna,

60 years, Hindu, Business, R/o.Vemagairithota,

Kadiam Mandal, East Godavari District,

6.Yanamadala Ramakrishna, S/o. Venkanna,

55 years, Hindu, Business, R/o.Vemagairithota,

Kadiam Mandal, East Godavari District,

7.Yanamadala Nageswara Rao, S/o.Venkanna,

54 years, Hindu, Business, R/o.Vemagairithota,

Kadiam Mandal, East Godavari District,

8.The Principal District Judge,

East Godavari, Rajahmundry.

9.The Special Officer

(Prl.District Munsif), Rajahmundry. **.....RESPONDENTS**

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to call for the records relating to the proceedings in A.T.A.No.157 of 1993 on the file of the 8th respondent, confirming the order of the 9th respondent I.A.No.3727 of 1993 in A.T.C.27 of 1993 and quash the same by issuing a Writ of Certiorari or any other appropriate Writ and consequentially declare the petitioner as a statutory tenant of the petition schedule land.

Counsel for the Petitioner: MR.M.KRISHNA MOHAN RAO

Counsel for the Respondent Nos.1 to 7: MR.I.NAGESH & MR.M.V.SURESH

Counsel for the Respondent Nos.8 & 9: GP FOR REVENUE

The Court made the following :

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ORDER:

The application of the petitioner for interim injunction was rejected by the Special Officer-cum-Prl. District Munsif, Rajahmundry in I.A.No.3727 of 1993 in A.T.C.No.27 of 1993. Against that order, an appeal was taken before the District Judge, who also dismissed the application.

The application for interim stay was moved somewhere in the year 1993. By this time, the main ATC must have been decided. Even otherwise, I do not find any merit in this petition because both the Courts below exercised their discretion on the basis of material available with them.

Writ petition is accordingly dismissed. No costs.

3rd February, 2005

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Copy to:

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1.The Principal District Judge,

East Godavari, Rajahmundry.

2.The Special Officer

(Prl.District Munsif), Rajahmundry.

3.Two CCs to the G.P. for revenue,

High Court Buildings, High Court of A.P.,

Hyderabad. (O.U.T)

4. Two CD copies.

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